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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,745	12/13/2000	Kyou-Woong Kim	678-576 (P9645)	7547
28249	7590	01/03/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			MILLER, BRANDON J	
			ART UNIT	PAPER NUMBER
			2683	

DATE MAILED: 01/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/735,745

Applicant(s)

KIM, KYOU-WOONG

Examiner

Brandon J Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 and 16-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 and 16 is/are allowed.
- 6) ☒ Claim(s) 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

### ***Allowable Subject Matter***

Claims 1-14 and 16 are allowable.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 1, 2, and 12 the combination of Hardouin in view of Murto and Irvin does not teach or fairly suggest alerting the user to either accept or reject the restricted mode. Claims 3-11 are allowable based on their dependence on independent claim 2 and claims 13-14 and 16 are allowable based on their dependence on independent claim 12.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hardouin in view of Ranta and Irvin.

Regarding claim 17 Hardouin teaches a method for controlling a paging alert level of a mobile station in a mobile communication system (see abstract and col. 1, lines 45-50 and col. 2, lines 23-28). Hardouin teaches setting information of a type and a level of a paging alert tone of a mobile station and generating, in a mobile station, a paging alert tone according to the information of the type and the level of a paging alert tone (see col. 2, lines 60-67 and col. 3, lines 20-30). Hardouin teaches transmitting setting information from a base station to a mobile

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station within a cell of the base station (see col. 2, lines 34-36 & 37-46). Hardouin does not teach a broadcast channel message, transmitting a broadcast channel message from a base station to a plurality of mobile stations within a cell of a base station, or alerting a user of an entrance into a paging alert level restricted area according to location information included in the BCH message. Ranta teaches a broadcast channel message, transmitting a broadcast channel message from a base station to a plurality of mobile stations within a cell of a base station, and location information included in a BCH message (see col. 13, lines 61-67 and col. 14, lines 1-3). Irvin teaches alerting a user of an entrance into a paging alert level restricted area (see col. 1, lines 55-60 and col. 5, lines 1-6 & 10-12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include a broadcast channel message, transmitting a broadcast channel message from a base station to a plurality of mobile stations within a cell of a base station, or alerting a user of an entrance into a paging alert level restricted area according to location information included in the BCH message because this would allow unnecessary signaling caused by paging messages between a base station and a mobile station in a mobile communication system.

### ***Response to Arguments***

Applicant's arguments filed June 23, 2004 have been fully considered but they are not persuasive. Regarding claim 17 the combination of Hardouin in view of Ranta and Irvin teaches a device as claimed. Claim 17 does not include the limitation of alerting the user to either accept or reject the restricted mode.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jeong U.S Patent No. 6,181,933 discloses a mobile communication system and controlling method thereof for paging and establishing dynamically paging area.

Valentine et al. U.S Patent No. 6,011,973 discloses a method and apparatus for restricting operation of cellular telephones to well delineated geographic area.

Havinis et al. U.S Patent No. 6,311,069 B1 discloses a system and method for alerting a mobile subscriber being positioned.

Hoshino U.S Patent No. 6,285,891 discloses a radio communication apparatus having a plurality of communication functions.

Miura et al. U.S Patent No. 6,763,105 B1 discloses a telephone with call-incoming-operation limiting function and method of limiting call-incoming operation of telephone.

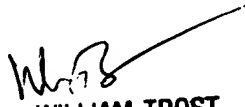
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 20, 2004

  
WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600